

National Aeronautics and Space Administration



Headquarters

Office of Communications
MS5L9, 300 E Street, SW
Washington, DC 20546-0001

June 14, 2019

Emma Best
MuckRock News
Dept MR 73087
411A Highland Ave
Somerville, MA 02144-2516
73087-72170739@requests.muckrock.com

REF: 19-HQ-F-00535

Dear Ms. Best,

Thank you for your interest in NASA. This is the final response to your Freedom of Information Act (FOIA) request received at the NASA Headquarters FOIA Office on May 17, 2019. Your request was assigned FOIA Case Number 19-HQ-F-00535 and was for:

Records relating to or mentioning the hacker group known as the "International subversives", which was made up of hackers going by the aliases Mendax, Trax, and Prime suspect.

In response to your request, searches of NASA's History and Archives Office, the Office of Protective Services, and the Office of the Chief Information Officer were conducted using the information you provided above. The search located one document totaling 114 pages in response to your request. We reviewed the responsive records under the FOIA to determine whether it may be accessed under the FOIA's provisions. Based on that review, this office is providing the following:

15 pages are released in full (RIF);
26 pages are released in part (RIP); and
70 pages are withheld in full (WIF).

NASA redacted from the enclosed documents information that fell within the following FOIA Exemption explained below.

Exemption 6, 5 U.S.C. § 552(b)(6)

Exemption 6 allows withholding of "personnel and medical files and *similar files* the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." See 5 U.S.C. § 552(b)(6)(emphasis added). NASA is invoking Exemption 6 to protect tenure years provided in the responsive records.

Exemption 7(C), 5 U.S.C. § 552(b)(7)(C)

Exemption 7(C) protects from public disclosure “records or information compiled for law enforcement purposes...[if disclosure] could reasonably be expected to cause an unwarranted invasion of personal privacy.” *See* 5 U.S.C. § 552(b)(7)(C). NASA is invoking Exemption 7(C) to protect the identities of lower level NASA employees, parties mentioned or referenced during the conduct of the investigation, and any information that could reasonably be expected to identify such individuals.

Exemption 7(E), 5 U.S.C. § 552(b)(7)(E)

Exemption 7(E) protects all law enforcement information that “would disclose techniques and procedures for law enforcement investigation or prosecution, or would disclose guidelines for law enforcement investigations or prosecution if such disclosure could reasonably be expected to risk circumvention of the law.” *See* 5 U.S.C. § 552(b)(7)(E). NASA is invoking Exemption 7(E) to withhold critical infrastructure information within these records. NASA has determined that releasing this type of information could compromise NASA’s Information Technology (IT) critical infrastructure.

Fees

Provisions of the FOIA allow us to recover part of the cost of complying with your request. In this instance, because the cost is below the \$50.00 minimum, there is no charge. *See* 14 CFR § 1206.504.

Appeal Rights

You have the right to appeal this action on your FOIA request. Your appeal must be received within 90 calendar days of the date of this letter. Your appeal must be in writing and addressed to:

Administrator
ATTN: FOIA Appeals
NASA Headquarters
Executive Secretariat
MS 9R17
Washington, DC 20546

Both the envelope and letter of appeal should be clearly marked “Appeal under the Freedom of Information Act.” You must also include copies of your initial request, this correspondence, and any other correspondence with the FOIA office. In order to expedite the appellate process and ensure full consideration of your appeal, your appeal should also contain a brief statement of the reasons you believe this initial determination should be reversed.

Assistance and Dispute Resolution Services

For further assistance and to discuss any aspect of your request, you may contact NASA’s Chief FOIA Public Liaison, Stephanie Fox, via telephone at 202-358-1553 or via e-mail at

Stephanie.K.Fox@NASA.gov. You may also send correspondence to Ms. Fox at the following address:

National Aeronautics and Space Administration (NASA)
Freedom of Information Act Unit
NASA Headquarters
Attn: Stephanie Fox
Chief FOIA Public Liaison
300 E Street, S.W., 5P32
Washington D.C. 20546
(Fax) 202- 358-4332

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services it offers. The contact information for OGIS is as follows:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, Maryland 20740-6001
Email: ogis@nara.gov
Telephone: (202) 741-5770
Toll free: 1-877-684-6448
Fax: (202) 741-5769

Important: Please note that contacting any agency official including the undersigned, NASA's Chief FOIA Public Liaison, and/or OGIS is not an alternative to filing an administrative appeal and does not stop the 90 day appeal clock.

If applicable, further issues concerning processing of your request will be addressed in a separate letter. If I can be of further assistance, please contact me at 202-358-0680 or HQ-FOIA@nasa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mireya P. Nyrenda', with a stylized flourish at the end.

MIREYA P. NYRENDA
FOIA Public Liaison Officer